

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
)
)
 v.) CRIMINAL ACTION
) NO. 05-40006-FDS
HERIBERTO RODRIGUEZ,)
 Defendant,)
)

INITIAL STATUS REPORT
May 6, 2005

SWARTWOOD, C.M.J.

The following is an Initial Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

The Government has completed its obligation to make discovery and Mr. Rodriguez's counsel has requested time to review that discovery. I have granted that request.

2. Further Status Conference

A further status conference shall be held in this case on June 23, 2005, at 2:00 p.m., in Courtroom 1, Fifth Floor, Donohue Federal Building, 595 Main Street, Worcester, Massachusetts.

3. Excludable Time

With the assent of counsel for the parties, I am excluding from the Speedy Trial Act, the period from April 8, 2005 (date of expiration of prior order of excludable time) through June 23, 2005

(date by which Mr. Rodriguez and his counsel will have had an opportunity to review the discovery produced by the Government). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Thursday, September 1, 2005.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE